



# राजपत्र, हिमाचल प्रदेश

## हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

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शिमला, मंगलवार 3 अप्रैल, 2012/14 चैत्र, 1934

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हिमाचल प्रदेश सरकार

विधान सभा सचिवालय

अधिसूचना

शिमला-4, 2 अप्रैल, 2012

**संख्या वि०स०-लैज-गवरनमेंट बिल/1-9/2012.**—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान संशोधन विधेयक, 2012 (2012 का विधेयक संख्यांक-5) जो आज दिनांक 2 अप्रैल, 2012 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ ई-राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

आदेश द्वारा,  
गोवर्धन सिंह,  
सचिव,  
हिमाचल प्रदेश विधान सभा।

## हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान संशोधन विधेयक, 2012

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान अधिनियम, 1999 (1999 का अधिनियम संख्यांक 16) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के तिरसठवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. **संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान संशोधन अधिनियम, 2012 है।

2. **धारा 4 का संशोधन.**—हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान अधिनियम, 1999 की धारा 4—क की उपधारा (1) में, “सरकार द्वारा अधिसूचना द्वारा” शब्दों के स्थान पर “आबकारी एवं कराधान आयुक्त” शब्द रखे जाएंगे।

### उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान अधिनियम, 1999 की धारा 4—क, राज्य सरकार द्वारा, अधिसूचना द्वारा, सम्यक् रूप से प्राधिकृत व्यक्ति द्वारा, यथास्थिति, यांत्रिक यान या छकड़े जिसमें या जिस पर माल वहन किया जाना है, के प्रभारी व्यक्ति से या माल के प्रभारी व्यक्ति से, धारा 3 के अधीन संदेय कर का संग्रहण करने का उपबन्ध करती है। हर बार नए व्यौहारी परिलक्षित किए जाते हैं और पूर्वोक्त अधिनियम की धारा 3 के अधीन संदेय कर का संग्रहण करने हेतु नए व्यौहारियों को प्राधिकृत करने के लिए मामला राज्य सरकार को भेजना पड़ता है। क्योंकि यह अविरत प्रक्रिया है तथा विद्यमान उपबन्ध के अधीन, ऐसे व्यौहारियों को राज्य सरकार से कर के संग्रहण के प्रयोजन के लिए प्राधिकृत करवाने के लिए विभाग को अधिक समय लगता है। इसलिए यह आवश्यक समझा गया है कि अधिनियम के अधीन कर के संग्रहण के प्रयोजन के लिए नए व्यौहारियों को प्राधिकृत करने की शक्ति आबकारी एवं कराधान आयुक्त को प्रत्यायोजित की जाए। इसलिए पूर्वोक्त अधिनियम में संशोधन करना आवश्यक हो गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

प्रेम कुमार धूमल,  
मुख्य मन्त्री।

शिमला :

तारीख ....., 2012

### वित्तीय ज्ञापन

विधेयक के उपबन्ध अधिनियमित होने पर विद्यमान सरकारी तन्त्र द्वारा प्रवर्तित किए जाएंगे और इससे राजकोष से कोई अतिरिक्त व्यय नहीं होगा।

### प्रत्यायोजित विधान सम्बन्धी ज्ञापन

विधेयक का खण्ड 2 आबकारी एवं कराधान आयुक्त को, किसी व्यक्ति को, यांत्रिक यान या छकड़े, जिसमें या जिस पर माल वहन किया जाना है, के प्रभारी व्यक्ति से या माल के प्रभारी व्यक्ति से, धारा 3 के अधीन संदेय कर का संग्रहण करने को प्राधिकृत करने के लिए सशक्त करता है। यह प्रत्यायोजन अनिवार्य और सामान्य स्वरूप का है।

Bill No. 5 of 2012

**THE HIMACHAL PRADESH TAXATION (ON CERTAIN GOODS CARRIED BY ROAD) AMENDMENT BILL, 2012**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

Bill

*further to amend the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Act, 1999 (Act No. 16 of 1999).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-third Year of the Republic of India as follows:—

**1. Short title.**—This Act may be called the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Amendment Act, 2012.

**2. Amendment of section 4.**—In section 4-A of the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Act, 1999, in sub-section (1), for the words and sign “State Government, by notification”, the words “*Excise and Taxation Commissioner*” shall be substituted.

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**STATEMENT OF OBJECTS AND REASONS**

Section 4-A of the Himachal Pradesh Taxation (On certain Goods Carried by Road) Act, 1999 provides for collection of tax payable under section 3, by a person duly authorized by the State Government, by notification, from the person-in-charge of the mechanical vehicle or cart in or on which goods are to be carried or the person-in-charge of the goods, as the case may be. Every time new dealers are identified and the case for authorization of new dealers has to be sent to the State Government for authorizing them to collect the tax payable under section 3 of the Act *ibid*. Since, this is a ongoing process and under the existing provision, it takes much time of the department to get such dealers authorized from the State Government for the purpose of collection of tax, therefore, it has been considered necessary that the powers to authorize new dealers for the purpose of collection of tax under the Act *ibid*, may be delegated on the Excise and Taxation Commissioner. This has necessitated amendment in the aforesaid Act.

This Bill seeks to achieve the aforesaid objectives.

**PREM KUMAR DHUMAL,**  
*Chief Minister.*

Shimla :

The....., 2012.

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**FINANCIAL MEMORANDUM**

The provisions of the Bill when enacted are to be enforced through the existing Government machinery and there will be no additional expenditure from the State exchequer.

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**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clause 2 of the Bill seeks to empower the Excise and Taxation Commissioner to authorize a person to collect tax payable under section 3 from the person-in-charge of the mechanical vehicle or cart in or on which goods are to be carried or the person-in-charge of the goods. This delegation is essential and normal in character.

## विधान सभा सचिवालय

## अधिसूचना

शिमला-4, 2 अप्रैल, 2012

**संख्या वि0स0-लैज-गवरनमेंट बिल/1-8/2012.**—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश में यात्रियों तथा सामान पर कर लगाने का (संशोधन) विधेयक, 2012 (2012 का विधेयक संख्यांक-4) जो आज दिनांक 2 अप्रैल, 2012 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ ई-राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

आदेश द्वारा,  
गोवर्धन सिंह,  
सचिव,  
हिमाचल प्रदेश विधान सभा।

2012 का विधेयक संख्यांक 4

**हिमाचल प्रदेश में यात्रियों तथा सामान पर कर लगाने का (संशोधन)  
विधेयक, 2012**

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश में यात्रियों तथा सामान पर कर लगाने का अधिनियम, 1955 (1955 का अधिनियम संख्यांक 15) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के तिरसठवें वर्ष में हिमाचल प्रदेश विधानसभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

**1. संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश में यात्रियों तथा सामान पर कर लगाने का (संशोधन) अधिनियम, 2012 है।

**2. धारा 4—क का संशोधन.**—हिमाचल प्रदेश में यात्रियों तथा सामान पर कर लगाने का अधिनियम, 1955 की धारा 4—क की उपधारा (1) में, “राज्य सरकार द्वारा, अधिसूचना द्वारा” शब्दों और चिन्ह के स्थान पर “आबकारी एवं कराधान आयुक्त” शब्द रखे जाएंगे।

## उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश में यात्रियों तथा सामान पर कर लगाने का अधिनियम, 1955 की धारा 4—क, राज्य सरकार द्वारा, अधिसूचना द्वारा सम्यक् रूप से प्राधिकृत व्यक्ति द्वारा, यथास्थिति, मोटरयान के प्रभारी व्यक्ति या चालक से धारा 3—ख के अधीन संदेय अतिरिक्त माल कर का संग्रहण करने का उपबन्ध करती है। हर बार नए व्यौहारी परिलक्षित किए जाते हैं और पूर्वोक्त अधिनियम की धारा 3—ख के अधीन संदेय कर का संग्रहण करने हेतु नए व्यौहारियों को प्राधिकृत करने के लिए मामला राज्य सरकार को भेजना पड़ता है। क्योंकि यह अविरत प्रक्रिया है तथा विद्यमान उपबन्धों के अधीन ऐसे व्यौहारियों को, राज्य सरकार से अतिरिक्त माल कर के संग्रहण के प्रयोजन के लिए प्राधिकृत करवाने के लिए विभाग को अधिक समय लगता है। इसलिए यह आवश्यक समझा गया है कि अधिनियम के अधीन नए व्यौहारियों को प्राधिकृत करने की शक्ति

आबकारी एवं कराधान आयुक्त को प्रत्यायोजित की जाए। इसलिए पूर्वोक्त अधिनियम में संशोधन करना आवश्यक हो गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

प्रेम कुमार धूमल,  
मुख्य मन्त्री।

शिमला :

तारीख ....., 2012

### वित्तीय ज्ञापन

विधेयक के उपबन्ध अधिनियमित होने पर विद्यमान सरकारी तन्त्र द्वारा प्रवर्तित किए जाएंगे और कोई अतिरिक्त व्यय अन्तर्वलित नहीं होगा।

### प्रत्यायोजित विधान सम्बन्धी ज्ञापन

विधेयक का खण्ड 2 आबकारी एवं कराधान आयुक्त को, किसी व्यक्ति को, यथास्थिति, मोटरयान के प्रभारी व्यक्ति या चालक से धारा 3-ख के अधीन संदेय अतिरिक्त माल कर का संग्रहण करने को, प्राधिकृत करने के लिए सशक्त करता है। शक्तियों का यह प्रत्यायोजन अनिवार्य और सामान्य स्वरूप का है।

### AUTHORITATIVE ENGLISH TEXT

Bill No. 4 of 2012

### THE HIMACHAL PRADESH PASSENGERS AND GOODS TAXATION (AMENDMENT) BILL, 2012

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

Bill

*further to amend the Himachal Pradesh Passengers and Goods Taxation Act, 1955 (Act No. 15 of 1955).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-third Year of the Republic of India as follows:—

**1. Short title.**—This Act may be called the Himachal Pradesh Passengers and Goods Taxation (Amendment) Act, 2012.

**2. Amendment of section 4-A.**—In section 4-A of the Himachal Pradesh Passengers and Goods Taxation Act, 1955, in sub-section (1), for the words and sign “State Government, by notification”, the words “Excise and Taxation Commissioner” shall be substituted.

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**STATEMENT OF OBJECTS AND REASONS**

Section 4-A of the Himachal Pradesh Passengers and Goods Taxation Act, 1955 provides for collection of additional goods tax payable under section 3-B by a person duly authorized by the State Government, by notification, from the person-in-charge or driver of the motor vehicle, as the case may be. Every time new dealers are identified and the case for authorization of new dealers has to be sent to the State Government for authorising them to collect the tax payable under section 3-B of the Act *ibid*. Since this is a ongoing process and under the existing provision, it takes much time of the department to got such dealers authorized from the State Government for the purpose of collection of additional goods tax, therefore, it has been considered necessary that the power to authorize new dealers under the Act *ibid* may be delegated on the Excise and Taxation Commissioner. This has necessitated amendment in the aforesaid Act.

This Bill seeks to achieve the aforesaid objectives.

**PREM KUMAR DHUMAL,**  
*Chief Minister.*

Shimla :

The ....., 2012.

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**FINANCIAL MEMORANDUM**

The provisions of the Bill when enacted are to be enforced through the existing Government machinery and no additional expenditure will be involved.

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**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clause 2 of the Bill seeks to empower the Excise and Taxation Commissioner to authorise a person to collect additional goods tax payable under section 3-B from the person-in-charge or driver of the motor vehicle, as the case may be. This delegation is essential and normal in character.

## विधान सभा सचिवालय

## अधिसूचना

शिमला-4, 2 अप्रैल, 2012

**संख्या वि0स0-लैज-गवरनमेंट बिल/1-7/2012.**—हिमाचल प्रदेश विधान सभा की प्रक्रिया एवं कार्य संचालन नियमावली, 1973 के नियम 140 के अन्तर्गत हिमाचल प्रदेश दुकान और वाणिज्यिक स्थापन (संशोधन) विधेयक, 2012 (2012 का विधेयक संख्यांक-3) जो आज दिनांक 2 अप्रैल, 2012 को हिमाचल प्रदेश विधान सभा में पुरःस्थापित हो चुका है, सर्वसाधारण की सूचनार्थ ई-राजपत्र में मुद्रित करने हेतु प्रेषित किया जाता है।

आदेश द्वारा,  
गोवर्धन सिंह,  
सचिव,  
हिमाचल प्रदेश विधान सभा।

## 2012 का विधेयक संख्यांक 3

## हिमाचल प्रदेश दुकान और वाणिज्यिक स्थापन (संशोधन) विधेयक, 2012

(विधान सभा में पुरःस्थापित रूप में)

हिमाचल प्रदेश दुकान और वाणिज्यिक स्थापन अधिनियम, 1969 (1970 का अधिनियम संख्यांक 10) का और संशोधन करने के लिए विधेयक।

भारत गणराज्य के तिरसठवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. **संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश दुकान और वाणिज्यिक स्थापन (संशोधन) अधिनियम, 2012 है।

2. **धारा 6 का संशोधन.**—हिमाचल प्रदेश दुकान और वाणिज्यिक स्थापन अधिनियम, 1969 (जिसे इसमें इसके पश्चात् “मूल अधिनियम” कहा गया है) की धारा 6 की उपधारा (4) में, “पाँच सौ रुपए से कम नहीं होगा, किन्तु जो दो हजार रुपए तक का हो सकेगा”, शब्दों और चिन्ह के स्थान पर “चार हजार रुपए से कम नहीं होगा, किन्तु जो छह हजार रुपए तक का हो सकेगा” शब्द और चिन्ह रखे जाएंगे।

3. **धारा 19 का संशोधन.**—मूल अधिनियम की धारा 19 की उपधारा (2) के स्थान पर निम्नलिखित उपधारा रखी जाएगी, अर्थात्, :—

“(2) सरकार, अधिसूचना द्वारा, किसी भी व्यक्ति को मुख्य निरीक्षक, अतिरिक्त मुख्य निरीक्षक, उप-मुख्य निरीक्षक या सहायक मुख्य निरीक्षक दुकान एवं वाणिज्यिक स्थापन, नियुक्त कर सकेगी, जो इस अधिनियम के अधीन उन्हें प्रदत्त शक्तियों के अतिरिक्त, उनकी अपनी-अपनी अधिकारिता के भीतर, निरीक्षक की शक्तियों का प्रयोग करेंगे।”।



**4. धारा 20 का संशोधन.—मूल अधिनियम की धारा 20 में,—**

(क) उपधारा (6) में “पचास रुपए” शब्दों के स्थान पर “दो सौ रुपए” शब्द रखे जाएंगे।

(ख) उपधारा (7) में “पाँच सौ रुपए से कम नहीं होगा, किन्तु जो दो हजार रुपए तक का हो सकेगा,” शब्दों और चिन्हों के स्थान पर “चार हजार रुपए से कम नहीं होगा, किन्तु जो छह हजार रुपए तक का हो सकेगा,” शब्द और चिन्ह रखे जाएंगे।

**5. धारा 21 का संशोधन.—**मूल अधिनियम की धारा 21 की उपधारा (2) में, “पाँच सौ रुपए से कम नहीं होगा, किन्तु जो दो हजार रुपए तक का हो सकेगा,” शब्दों और चिन्हों के स्थान पर “चार हजार रुपए से कम नहीं होगा, किन्तु जो सात हजार रुपए तक का हो सकेगा,” शब्द और चिन्ह रखे जाएंगे।

**6. धारा 25 का प्रतिस्थापन.—**मूल अधिनियम की धारा 25 के स्थान पर निम्नलिखित धारा रखी जाएगी, अर्थात् :—

“25 **शास्तियाँ.**—इस अधिनियम के अन्य उपबन्धों के अधीन रहते हुए, जो कोई भी इस अधिनियम के या तदधीन बनाए गए नियमों के किसी भी उपबन्ध का उल्लंघन करता है और इस अधिनियम में ऐसे उल्लंघन के लिए किसी शास्ति का उपबन्ध नहीं किया गया है, दोषसिद्धि पर, जुर्माने से, जो प्रथम अपराध के लिए एक हजार रुपए से कम नहीं होगा, किन्तु जो पाँच हजार रुपए तक का हो सकेगा और प्रत्येक पश्चात्वर्ती अपराध के लिए तीन हजार रुपए से कम नहीं होगा, किन्तु जो आठ हजार रुपए तक का हो सकेगा, दण्डनीय होगा।”।

**7. धारा 25—क का संशोधन.—**मूल अधिनियम की धारा 25—क की उपधारा (1) के स्थान पर निम्नलिखित उपधारा रखी जाएगी, अर्थात् :—

“(1) धारा 20 की उपधारा (7) में अन्यथा उपबन्धित के सिवाए, किसी भी अपराध का, या तो अभियोजन संस्थित किए जाने से पूर्व या पश्चात्, सरकार की अधिसूचना द्वारा प्राधिकृत किसी अधिकारी द्वारा, जो दुकान और वाणिज्यिक स्थापन के सहायक मुख्य निरीक्षक की पंक्ति से नीचे का न हो, ऐसी रकम के लिए, जो एक हजार रुपए से कम नहीं होगी, परन्तु पाँच हजार रुपए से अधिक नहीं होगी, शमन किया जा सकेगा।”।

**8. धारा 33 का संशोधन.—**मूल अधिनियम की धारा 33 में “मुख्य निरीक्षक द्वारा” शब्दों के स्थान पर “किसी अधिकारी द्वारा, जो सहायक मुख्य निरीक्षक की पंक्ति से नीचे का न हो,” शब्द और चिन्ह रखे जाएंगे।

### उद्देश्यों और कारणों का कथन

हिमाचल प्रदेश दुकान और वाणिज्यिक स्थापन अधिनियम, 1969 स्थापन के रजिस्ट्रीकरण, दुकान और वाणिज्यिक स्थापन में कर्मकारों और नियोजन की शर्तों के विनियमन, जैसे कि नियोजन के घण्टे, भोजन या आराम के लिए अन्तराल, आने तथा जाने का समय, बन्द दिन, अवकाश, प्रसूति प्रसुविधा के लिए और अधिनियम आदि के उपबन्धों के उल्लंघन के लिए शास्तियों का उपबन्ध करता है। ऐसा अनुभव रहा है कि अधिनियम में ऐसे उल्लंघन के लिए उपबन्धित शास्ति नाममात्र की होने के कारण स्थापन के नियोजक द्वारा अधिनियम के उपबन्धों का घोर उल्लंघन किया जाता है और इसका कोई भी भयोपरापी प्रभाव नहीं है। इसलिए वर्तमान परिवेश में अधिनियम के उपबन्धों की कड़ी अनुपालना सुनिश्चित करने के आशय से यह आवश्यक समझा गया है कि शास्ति में बढ़ाव करके अधिनियम के शास्तिक उपबन्धों को और अधिक भयोपरापी बनाया जाए। इसके अतिरिक्त धारा 25—क के अधीन किसी भी अपराध का, अभियोजन के संस्थित किए जाने से पूर्व या पश्चात्, दुकान और वाणिज्यिक स्थापन के मुख्य निरीक्षक, जो राज्य मुख्यालय में तैनात हो, द्वारा शमन किए जाने का उपबन्ध है। इसलिए यह उपयुक्त समझा गया है कि पूर्वोक्त अधिनियम के

अधीन किसी अपराध का शमन करने की शक्तियों को, अधिसूचना द्वारा, धारा 19 के अधीन नियुक्त अधिकारियों को प्रदत्त किया जाए, जो दुकान और वाणिज्यिक स्थापन के सहायक मुख्य निरीक्षक की पंक्ति से नीचे के न हों। इससे न्यायालयों में मुकद्दमेबाजी भी कम होगी और अपराधी को जिला मुख्यालयों पर अपराध का शमन करवाने में अधिक सुविधा रहेगी। उपरोक्त के दृष्टिगत पूर्वोक्त अधिनियम को उपयुक्त रूप से संशोधित करने का विनिश्चय किया गया है।

यह विधेयक उपर्युक्त उद्देश्यों की पूर्ति के लिए है।

(किशन कपूर)  
प्रभारी मंत्री।

शिमला :

तारीख : ....., 2012

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*AUTHORITATIVE ENGLISH TEXT*

**Bill No. 3 of 2012**

**THE HIMACHAL PRADESH SHOPS AND COMMERCIAL ESTABLISHMENT  
(AMENDMENT) BILL, 2012**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

*further to amend the Himachal Pradesh Shops and Commercial Establishment Act, 1969  
(Act No. 10 of 1970).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Sixty-third Year of the Republic of India as follow:—

**1. Short title.**—This Act may be called the Himachal Pradesh Shops and Commercial Establishment (Amendment) Act, 2012.

**2. Amendment of section 6.**—In section 6 of the Himachal Pradesh Shops and Commercial Establishment Act, 1969 (hereinafter referred to as the “principal Act”), in sub-section (4), for the words “five hundred rupees but which may extend to two thousand rupees”, the words “four thousand rupees but which may extend to six thousand rupees” shall be substituted.

**3. Amendment of section 19.**—In section 19 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :—

“(2) The Government may, by notification, appoint any person to be the Chief Inspector, Additional Chief Inspector, Deputy Chief Inspector, or Assistant Chief

Inspector of Shops and Commercial Establishments, who shall, in addition to the powers conferred on them under this Act, exercise the powers of Inspector within their respective jurisdiction.”.

**4. Amendment of section 20.**—In section 20 of the principal Act,—

- (a) in sub-section (6), for the words “fifty rupees”, the words “two hundred rupees” shall be substituted; and
- (b) in sub-section (7), for the words “five hundred rupees but which may extend to two thousand rupees”, the words “four thousand rupees but which may extend to six thousand rupees shall be substituted.

**5. Amendment of section 21.**—In section 21 of the principal Act, in sub-section (2), for the words “five hundred rupees and may extend to two thousand rupees”, the words “four thousand rupees and may extend to seven thousand rupees” shall be substituted.

**6. Substitution of section 25.**—For section 25 of the principal Act, the following section shall be substituted, namely:—

“**25. Penalties.**—Subject to the other provisions of this Act, whoever contravenes any of the provisions of this Act or the rules made thereunder and no penalty has been provided for such contravention in this Act, shall be liable, on conviction, to a fine which shall not be less than one thousand rupees but which may extend to five thousand rupees for the first offence, and not less than three thousand rupees but which may extend to eight thousand rupees for every subsequent offence.”.

**7. Amendment of section 25-A.**—In section 25 A of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Save as provided in sub-section (7) of section 20, any offence may, either before or after the institution of prosecution, be compounded by any officer not below the rank of Assistant Chief Inspector of Shops and Commercial Establishments, authorised by the Government, by notification, for an amount which shall not be less than one thousand rupees but shall not exceed five thousand rupees.”.

**8. Amendment of section 33.**—In section 33 of the principal Act, for the words “by the Chief Inspector”, the words “by an officer not below the rank of Assistant Chief Inspector” shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh Shops and Commercial Establishment Act, 1969 provides for registration of commercial establishment, regulation of conditions of workers and employment in shops and commercial establishment, such as hours of employment, intervals for meals or rest, opening and closing hours, closed day, holiday, maternity benefits and penalties for contravention of the provisions of the Act etc. It has been experienced that there is gross violation of provisions of the Act by the employer of the establishment for the reason that the penalty provided for such violation in the Act is very nominal and has no deterrent effect. Thus, in order to ensure the strict compliance of the provisions of the Act in the present scenario, it has been considered essential to make the penal provisions more deterrent by enhancing the penalty. Further, under section 25 A, an offence is compoundable before or after the institution of the prosecution by the Chief Inspector of Shops and Commercial Establishments, who sits at the State Headquarters. Thus, it is considered more appropriate, if the powers to compound an offence under the Act *ibid* is conferred on the

officers not below the rank of Assistant Chief Inspector of Shops and Commercial Establishments, appointed under section 19. This will also reduce the litigation in the courts and will be more convenient to the offender to get the offence compounded at the District Headquarters. In view of the above, it has been decided to amend the Act *ibid* suitably.

This Bill seeks to achieve the aforesaid objective.

**(KISHAN KAPOOR)**  
*Minister-in-Charge.*

SHIMLA :

The ....., 2012.

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**GENERAL ADMINISTRATION DEPARTMENT**  
**(Parliamentary Affairs Department)**

**NOTIFICATION**

*Shimla-2, 31st March, 2012*

**No. GAD-(GI)2(B)-6/82-GAC-II.**—In exercise of powers conferred under Rule 8(1) of Himachal Pradesh Vidhan Sabha Secretariat(Recruitment & Conditions of Services)Rules, 1974 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, in consultation with the Speaker, Himachal Pradesh Vidhan Sabha is pleased to order extension in re-employment of Shri Goverdhan Singh, Secretary, Himachal Pradesh Vidhan Sabha for a period of 9 months w.e.f. 1-4-2012 to 31-12-2012. The terms and conditions of re-employment shall remain the same as issued vide this department notification of even number dated 23.4.2010.

By order,  
Sd/-  
*Secretary(GAD/Parliamentary Affairs).*

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**LABOUR & EMPLOYMENT DEPARTMENT**

**NOTIFICATION**

*Shimla-171002, the 31st March, 2012*

**No. Shram (A) 4-6/2007 -BOCW Part-II.**—In exercise of the power vested under Section 18(1) of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service)Act, 1996, the Governor, Himachal Pradesh, is pleased to constitute the Himachal Pradesh Building and Other Construction Workers Welfare Board to exercise the powers conferred in and further the function assign to it under the Building and Other Construction Workers ((Regulation of Employment and Conditions of Service)Act, 1996. The Board shall consist of the following members:-

1. Shri Joginder Singh Verma, Vill. Chhon,  
P.O. Barara, Teh. Bhoranj , Distt. Hamirpur, H.P.

**Chairman.**

2. Under Secretary,  
Ministry of Labour & Employment, GOI,  
Jaisalmer House, Man Singh Road,  
New Delhi-110011. **Member.**
  
3. **State Govt. Representatives** **(Five Members)**
  1. Secretary ( Lab & Emp) to the Govt. of H.P. Shimla-2.
  2. Secretary ( Finance) to the Govt. of H.P. Shimla-2.
  3. Secretary( Social Justice & Empowerment ) to the Govt. of H.P. Shimla-2
  4. Secretary( Law) to the Govt. of H.P. Shimla-2.
  5. Labour Commissioner-cum-Chief Inspector of Inspection, H.P., appointed under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.
  
4. **Employers Representatives ( Five Members)**
  1. Engineer- in – Chief ( PWD) Nigam Vihar, Shimla-2.
  2. Engineer- in –Chief ( I P H) Department, U.S. Club, Shimla-1.
  3. Member Secretary, Himurja, Shimla- 9
  4. Chief Executive Officer, HIMUDA, Shimla-2.
  5. Managing Director, Power Corporation, Shimla-5
  
5. **Employees Representatives (Five Members)**
  1. President, BMS, Shimla-1
  2. President, INTUC, H.P.
  3. President, AITUC, H.P.
  4. President, CITU, H.P.
  5. Shri Surinder Singh Bains S/o Sh. Ran Singh, Vill. Panjler, P.O. Sakoh, Teh. Dharamshala, District Kangra.

The Head Quarter of the Board will be at Shimla. The term of office of the Chairman and the Members of the Board other than the Official Members shall be three years from the date of issue of this notification.

By order,  
Sd/-

*Additional Chief Secretary( Labour & Employment ).*

**लोक निर्माण विभाग**

अधिसूचना

शिमला-2, 31 मार्च, 2012

**सं०पी०बी०डब्ल्यू०(बी०) एफ—(5) 78/2011.**—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु गांव कसौली, तहसील कसौली, जिला सोलन में गढ़खल—गुनाई सड़क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विवरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. यह घोषणा, भूमि अर्जन अधिनियम, 1894 की धारा-6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों को सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा-7 के अधीन भू-अर्जन समाहर्ता

लोक निर्माण विभाग, विन्टर फिल्ड शिमला को उक्त भूमि के अर्जन करने के आदेश लेने का एतद्वारा निदेश दिया जाता है।

3. भूमि रेखांक का निरीक्षण भू-अर्जन समाहर्ता, लोक निर्माण विभाग, विन्टर फिल्ड शिमला के कार्यालय में किया जा सकता है।

### विवरणी

जिला	तहसील	गांव	खसरा नम्बर	क्षेत्र (बीघा-बिस्वा )
सोलन	कसौली	कसौली	492	0-7
			497	0-4
		<b>कुल जोड़</b>	<b>किता-2</b>	<b>0-11</b>

आदेश द्वारा,  
हस्ताक्षरित /—  
प्रधान सचिव (लोक निर्माण)।

### लोक निर्माण विभाग

#### अधिसूचना

शिमला-2, 30 मार्च, 2012

**सं0पी0बी0डब्ल्यू0(बी0) एफ—(5) 30/2008.**—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को सरकारी व्यय पर सार्वजनिक प्रयोजन हेतु गांव कस्वाड़ा, तहसील व जिला कांगड़ा हिमाचल प्रदेश में राष्ट्रीय उच्च मार्ग-88 पर बुनेर खड्ड पर पुल निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह घोषित किया जाता है कि निम्नलिखित विवरणी में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. यह घोषणा, भूमि अर्जन अधिनियम, 1894 की धारा-6 के उपबन्धों के अधीन इससे सम्बन्धित सभी व्यक्तियों को सूचना हेतु की जाती है तथा उक्त अधिनियम की धारा-7 के अधीन भू-अर्जन समाहर्ता, लोक निर्माण विभाग, (का0 क्षेत्र) जिला कांगड़ा को उक्त भूमि के अर्जन करने के आदेश लेने का एतद्वारा निदेश दिया जाता है।

3. भूमि रेखांक का निरीक्षण भू-अर्जन समाहर्ता, लोक निर्माण विभाग, (का0 क्षेत्र) जिला कांगड़ा के कार्यालय में किया जा सकता है।

### विवरणी

जिला	तहसील	गांव	खसरा नम्बर	क्षेत्र (है0)
कांगड़ा	कांगड़ा	कस्वाड़ा	277 / 1 / 2	0-16-21
			277 / 2	0-37-85
		<b>कुल जोड़</b>	<b>किता-2</b>	<b>0-54-06</b>

आदेश द्वारा,  
हस्ताक्षरित /—  
प्रधान सचिव (लोक निर्माण)।

**HIGH COURT OF HIMACHAL PRADESH AT SHIMLA-171001****NOTIFICATION***Shimla, the 29th March, 2012*

**No. HHC/Admn.6(23)/74-XIV.**—Hon'ble the Chief Justice in exercise of the power vested in him under Rule 2 (32) of Chapter 1 of H.P. Financial Rules, 2009 has been pleased to declare the Civil Judge (Junior Division)-cum-JMIC (VII), Shimla as Drawing and Disbursing Officer in respect of the Court of Civil Judge (Junior Division)-cum-JMIC (VI) and Civil Judge (Junior Division)-cum-JMIC (VIII) Shimla and also the Controlling Officer for the purpose of T.A. etc. in respect of the establishments attached to the aforesaid Courts under head "2014 Administration of Justice" during the medical leave period of Ms. Vijay Lakshmi of until she returns from leave.

By order,  
Sd/-  
*Registrar General.*

**HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001****NOTIFICATION***Shimla, the 28th March, 2012*

**No. HHC/Admn.16 (9)74-VII.**—Hon'ble the Chief Justice, in exercise of the powers vested in him U/S 139(b) of the Code of Civil Procedure, 1908, U/S 297(b) of the Code of Criminal Procedure, 1973 and Rule 5(vi) of the H.P. Oath Commissioners(Appointment & Control) Rules, 2007 has been pleased to appoint Sh. Muni Lal, Advocate, Sundernagar, as Oath Commissioner at Sundernagar, H.P. for a period of two years, with effect from 9.4.2012, for administering oaths and affirmations on affidavits to the deponents, under the aforesaid Codes and Rules.

By order,  
Sd/-  
*Registrar General.*

**HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001****NOTIFICATION***Shimla, the 27th March, 2012*

**No. HHC/GAZ/14-216/95-1.**—Hon'ble the Chief Justice has been pleased to grant ex-post facto sanction of two days' commuted leave for 6.3.2012 and 7.3.2012 with permission to suffix gazetted holiday falling on 8.3.2012 in favour of Shri Yashwant Singh, Presiding Officer, Fast Track Court, Ghumarwin, District Bilaspur, H. P.

Certified that Shri Yashwant Singh has joined the same post and at the same station from where he proceeded on leave, after expiry of the above period of leave.

Also certified that Shri Yashwant Singh would have continued to hold the same post of Presiding Officer, fast Track Court, Ghumarwin but for his proceeding on leave for the above period.

By order,  
Sd/-  
*Registrar General.*

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001**

**NOTIFICATION**

*Shimla, the 26th March, 2012*

**No. HHC/Admn.3 (336)/92-I.**—13 days earned leave on and w.e.f. 5.3.2012 to 17.03.2012 with permission to affix Sundays falling on 4.3.2012 and 18.3.2012 is hereby sanctioned, ex post facto, in favour of Shri Prem Chand Verma, Secretary of the Registry.

Certified that Shri Prem Chand Verma has joined the same post and at the same station from where he had proceeded on leave after the expiry of the above leave period.

Certified that Shri Prem Chand Verma would have continued to officiate the same post of Secretary but for his proceeding on leave.

By order,  
Sd/-  
*Registrar General.*

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001**

**NOTIFICATION**

*Shimla, the 26th March, 2012*

**No. HHC/Admn.3 (328)/92.**—05 days un-availed earned leave w.e.f. 3.3.2012 to 7.3.2012 sanctioned vide Notification No. HHC/Admn.3(328)/92-6161-64, dated 24th February, 2012 in favour of Shri Suresh Dhameja, Court Master is hereby cancelled and credited in his leave account.

By order,  
Sd/-  
*Registrar General.*

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**HIGH COURT OF HIMACHAL PRADESH, SHIMLA-171001**

**NOTIFICATION**

*Shima, the 26th March, 2012*

**No. HHC/Admn.3 (282)/90-I.**—04 days un-availed earned leave w.e.f. 18.3.2012 to 21.3.2012 sanctioned vide Notification No. HHC/Admn.3(282)/90-I-7475-77, dated 9th March, 2012 in favour of Shri Hem Raj, Secretary is hereby cancelled and credited in his leave account.

By order,  
Sd/-  
*Registrar General.*



## आबकारी एवं काराधान

## अधिसूचना

शिमला, 171002, 31 मार्च, 2012

**संख्या ई0एक्स0एन0-ए(3)-4/2011.**—हिमाचल प्रदेश की राज्यपाल, हिमाचल प्रदेश (होटल और आवास गृह) विलास वस्तुएं कर अधिनियम, 1979 (1979 का अधिनियम संख्यांक 15) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिनियम के प्रयोजनों को कार्यान्वित करने के लिए, सरकार की अधिसूचना संख्या ई0एक्स0एन0-एफ(10)-5/79 तारीख 02 फरवरी, 1980 द्वारा अधिसूचित और तारीख 18 मार्च, 1980 को राजपत्र, हिमाचल प्रदेश (असाधारण) में प्रकाशित दी हिमाचल प्रदेश टैक्स ऑन लगज़रीज़ (इन होटलज़ एण्ड लॉजिंग हाउसिज़) रूलज़, 1979 में और संशोधन करने के लिए निम्नलिखित नियम बनाती हैं, अर्थातः—

1. **संक्षिप्त नाम.**—इन नियमों का संक्षिप्त नाम दी हिमाचल प्रदेश टैक्स ऑन लगज़रीज़ (इन होटलज़ एण्ड लॉजिंग हाउसिज़) अमैन्डमेंट रूलज़, 2012 है।

2. **रूल 2 का संशोधन.**—दी हिमाचल प्रदेश टैक्स ऑन लगरीज़ (इन होटलज़ एण्ड लॉजिंग हाउसिज़) रूलज़, 1979 (जिन्हें इसमें इसके पश्चात् “उक्त रूलज़” कहा गया है) के रूल 2 में खण्ड (क) के पश्चात् निम्नलिखित खण्ड अन्तःस्थापित किए जाएंगे, अर्थातः—

“(dd) “document” includes data, record or data generated image or sound stored, received or sent in a manual or electronic form or micro film or computer generated micro fiche.”

“(ddd) “notice or show cause notice” means a notice issued under the Act or these rules, in specified forms. Where, such notice is issued electronically, bearing a serial number generated by the computer, the signature of the issuing authority shall not be required; and

“(dddd) “receipt” means an acknowledgement of receiving the document. Where such receipt is issued bearing a serial number generated electronically, the signature of person issuing the receipt shall not be required;”.

3. **रूल 3 A.A. का अन्तःस्थापन.**—उक्त रूलज़ के रूल 3-A के पश्चात् निम्नलिखित रूल अन्तःस्थापित किया जाएगा, अर्थातः—

“(3AA) **Application for e-registration.**—(1) Notwithstanding anything contained in rule 3A, an application for grant of registration certificate under the Act may be submitted by an owner electronically, in Form LTXII duly completed in all respect, alongwith scanned copies of required documents, if any, through the official web-site of the Excise and Taxation Department, Himachal Pradesh to the Assessing Authority to grant registration certificate under section 5.A.

(2) The dealer, who has submitted application under subrule (1), shall submit all the required documents in hard copy thereof within 7 days of submission of application in LT-XII, to the Assessing Authority to grant registration certificate, failing which the application so made shall be rejected without assigning any reason.”.

4. **रूल 4 का प्रतिस्थापन.**—उक्त रूलज़ के रूल 4 के स्थान पर निम्नलिखित रूल रखा जाएगा, अर्थातः—

- “4. The amount of luxury tax (including interest or penalty, if any) payable by the proprietor shall be paid into a Government Treasury or the State Bank of India by means of a challan either manually or electronically in Forms L.T.I or L.T. I-A, respectively and the proprietor shall furnish a copy of the Challan to the appropriate Assessing Authority alongwith the return to which the payment relates or otherwise, as the case may be.”.

5. **रूल 4-A का अन्तः स्थापन.**—उक्त रूल के विद्यमान रूल 4 के पश्चात् निम्नलिखित रूल 4-A अन्तः स्थापित किया जाएगा, अर्थातः—

“4-A. Where the payment of tax, demand or other sum has been made electronically, the authorized bank shall generate e-challan in Form L.T.I-A through a computer network. The authorized bank shall also forward a statement of such echallan (called as e-payment scroll) daily in Form LT-XXIII to concerned treasury of the State and a copy of such statement shall be forwarded to the Accountant General, Himachal Pradesh. The date of payment for the purpose of these rules shall be the date of deposit generated on the echallan in Form L.T.I-A. The date of payment for all accounting purposes shall be the generation of e-payment challan and the daily statement from bank shall mention this date”.

6. **रूल 6 का संशोधन.**—उक्त रूल के रूल 6 के सब-रूल (1) में, “Shall Submit” शब्दों के पश्चात् “either manually or electronically”, शब्द और चिन्ह अन्तः स्थापित किए जाएंगे।

7. **रूल 6-A का अन्तः स्थापन.**—उक्त रूल के विद्यमान रूल 6 के पश्चात् निम्नलिखित रूल 6-A अन्तः स्थापित किया जाएगा, अर्थातः—

**“6-A. Electronic filling of return.**—Notwithstanding anything contained in rule 6, from such date and by such class of dealers, as may be notified by the State Government, the returns shall be filed electronically by way of uploading all requisite information on the web-site of the Excise and Taxation Department. Any dealer who files returns(s) alongwith the requisite enclosures electronically, he shall authenticate the same by affixing his digital signatures:

Provided that where such return(s) is filed without affixing digital signature, the said dealer shall be required to submit to the appropriate authority, a duly signed hard copy of such electronically filled return(s) duly printed from the official website of the Excise and Taxation Department, Government of Himachal Pradesh within fifteen days of the last date for filing of such return(s). Failure to do so shall be deemed to be a case of non filing of return(s) and shall be liable to penal action under the Act.”

8. **रूल 12 का संशोधन.**—उक्त रूल के रूल 12 में:-

(i) सब-रूल (1) के खण्ड (g) के पश्चात् निम्नलिखित खण्ड (h) अन्तः स्थापित किया जाएगा, अर्थातः—

“(h) be submitted electronically in Form L.T. XIX through the official web-site of the Excise and Taxation Department to the office of the appellate authority and duly fulfilling conditions as specified under clauses (c) to (g) of this rule.

(ii) in sub-rule (2), after the words “by registered post”, the words and sign “or electronically as specified in clause (h)” shall be inserted.

(ii) सब रूल (2) में, “by registered post”, शब्दों के पश्चात् “or electronically as specified in clause (h)” शब्द और चिन्ह अन्तः स्थापित किए जाएंगे।

9. **रूल 18 का संशोधन.**—उक्त रूल के रूल 18 के सब रूल (1) में, खण्ड (b) के पश्चात् निम्नलिखित खण्ड (c) अन्तः स्थापित किया जाएगा, अर्थात्:—

“(c) electronically, by e-mail.”.

Form LT-I-A

[See Rule 4-A]

(For deposit of tax/demand/other sum)

Government of Himachal Pradesh  
Excise and Taxation Department

District:	0045- Other Taxes and Duties on Commodities and Services		
Circle	105-Receipts from Luxury Tax		
Tax Period From..... to.....			
Registration Number:			
Name of the Proprietor:			
Complete Address:			
105-Receipts from Luxury Tax			
01-Luxury Tax Rs.			
02- Interest Under Section 7-B Rs.			
03- Penalty u/s ..... Rs.			
04- Other payments on account of			
TOTAL IN FIGURES: Rs.			
TOTAL IN WORDS: Rupees.			
Challan Identification Number ( CIN)	BSR Code	Date	Challan No.

Certified that all the particulars given above are correct.

Online Payment Through Internet Banking

<<Bank Name>>

<<Collecting Branch Name>>

Form LT-XXIII  
(See rule 4-A)

Statement of Payment Made Electronically

Payment Date: .....

Scroll Date:.....

Sr. No.	Name of Depositor	Registration Number	Date of Deposit	Major Head	Sub-Major Head	Minor Head	Sub Head	Bank CIN	Amount in Rs.

आदेश द्वारा,  
हस्ताक्षरित /—  
प्रधान सचिव (आबकारी एवं कराधान)।

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[Authoritative English Text of this department notification No.EXN-A(3)4/2011 dated 31.03.2012 as required under clause (3) of Article 348 of the Constitution of India].

**EXCISE AND TAXATION DEPARTMENT**

**NOTIFICATION**

*Shimla, the 31st March, 2012*

**No. EXN-A(3)4/2011.**—In exercise of the powers conferred by Section 17 of the Himachal Pradesh Tax on Luxuries ( in Hotels and Lodging Houses) Act, 1979 (Act No. 15 of 1979) the Governor, Himachal Pradesh, is pleased to make the following Rules further to amend the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Rules, 1979 notified vide Government notification No. EXN-F(10)5/79, dated the 2nd February,1980 in the Extra-ordinary Gazette, dated the 18th March,1980 for carrying out the purpose of the Act, namely:-

**1. Short title.**—These rules may be called the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Amendment Rules, 2012.

**2. Amendment of Rule 2.**—In the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Rules, 1979 (herein after referred to as the “said rules), in rule 2, after clause (d) the following clauses shall be inserted, namely:-

“(dd) “document” includes data, record or data generated image or sound stored, received or sent in a manual or electronic form or micro film or computer generated micro fiche.”

“(ddd) **“notice or show cause notice”** means a notice issued under the Act or these rules, in specified forms. Where, such notice is issued electronically, bearing a serial number generated by the computer, the signature of the issuing authority shall not be required; and

“(dddd) **“receipt”** means an acknowledgement of receiving the document. Where such receipt is issued bearing a serial number generated electronically, the signature of person issuing the receipt shall not be required;”.

**3. Insertion of Rule 3 A.A.**—After Rule 3A of the said rules the following rules shall be inserted, namely;

“(3AA) **Application for e-registration.**—(1) Notwithstanding anything contained in rule 3A, an application for grant of registration certificate under the Act may be submitted by an owner electronically, in Form LT- XII duly completed in all respect, alongwith scanned copies of required documents, if any, through the official web-site of the Excise and Taxation Department, Himachal Pradesh to the Assessing Authority to grant registration certificate under section 5.A.

(2) The dealer, who has submitted application under sub-rule (1), shall submit all the required documents in hard copy thereof within 7 days of submission of application in LT-XII, to the Assessing Authority to grant registration certificate, failing which the application so made shall be rejected without assigning any reason.”.

**4. Substitution of rule 4.**—for rule 4 of the said rules, the following rule shall be substituted, namely:-

“4. The amount of luxury tax (including interest or penalty, if any) payable by the proprietor shall be paid into a Government Treasury or the State Bank of India by means of a challan either manually or electronically in Forms L.T.I or L.T. I-A, respectively and the proprietor shall furnish a copy of the Challan to the appropriate Assessing Authority alongwith the return to which the payment relates or otherwise, as the case may be.”.

**5. Insertion of rule 4-A.**—After existing rule 4 of the said rules, the following rules 4-A shall be inserted, namely:-

“4-A. Where the payment of tax, demand or other sum has been made electronically, the authorized bank shall generate e-challan in Form L.T.I-A through a computer network. The authorized bank shall also forward a statement of such e-challan (called as e-payment scroll) daily in Form LT-XXIII to concerned treasury of the State and a copy of such statement shall be forwarded to the Accountant General, Himachal Pradesh. The date of payment for the purpose of these rules shall be the date of deposit generated on the e-challan in Form L.T.I-A. The date of payment for all accounting purposes shall be the generation of epayment challan and the daily statement from bank shall mention this date”.

**6. Amendment of rule 6.**—In rule 6 of the said rules, in sub-rule (1), after the words “shall submit”, the words and sign “either manually or electronically.” shall be inserted.

**7. Insertion of rule 6-A.**—After existing rule 6 of the said rules, the following rule 6-A shall be inserted, namely:-

“6-A. **Electronic filling of return.**—Notwithstanding anything contained in rule 6, from such date and by such class of dealers, as may be notified by the State Government, the returns shall be filed electronically by way of uploading all requisite information on the web-site of the Excise and Taxation Department.

Any dealer who files returns(s) alongwith the requisite enclosures electronically, he shall authenticate the same by affixing his digital signatures:

Provided that where such return(s) is filed without affixing digital signature, the said dealer shall be required to submit to the appropriate authority, a duly signed hard copy of such electronically filled return(s) duly printed from the official website of the Excise and Taxation Department, Government of Himachal Pradesh within fifteen days of the last date for filing of such return(s). Failure to do so shall be deemed to be a case of non filing of return(s) and shall be liable to penal action under the Act.”

**8. Amendment of Rule 12.**—In rule 12 of the said rules , -

- (i) in sub rule (1) after clause (g) , the following clause (h) shall be inserted , namely:-  
“(h) be submitted electronically in Form L.T. XIX through the official web-site of the Excise and Taxation Department to the office of the appellate authority and duly fulfilling conditions as specified under clauses (c) to (g) of this rule.
- (ii) in sub-rule (2), after the words “by registered post”, the words and sign “or electronically as specified in clause (h)” shall be inserted.

**9. Amendment of rule 18.**— In rule 18 of the said rules in sub-rule(1), after clause (6), the following clause (c) shall be inserted, namely:-

“(c) electronically, by e-mail.”.

Form LT-I-A

[See Rule 4-A]

(For deposit of tax/demand/other sum)

Government of Himachal Pradesh  
Excise and Taxation Department

District:	0045- Other Taxes and Duties on Commodities and Services
Circle	105-Receipts from Luxury Tax
Tax Period From..... to.....	
Registration Number:	
Name of the Proprietor:	
Complete Address:	
105-Receipts from Luxury Tax	
01-Luxury Tax Rs.	
02- Interest Under Section 7-B Rs.	
03- Penalty u/s ..... Rs.	
04- Other payments on account of	
TOTAL IN FIGURES: Rs.	

TOTAL IN WORDS: Rupees.	
Challan Identification Number ( CIN)	BSR Code      Date      Challan No.

Certified that all the particulars given above are correct.

Online Payment Through Internet Banking <<Bank Name>> <<Collecting Branch Name>>
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Form LT-XXIII  
(See rule 4-A)

### Statement of Payment Made Electronically

Payment Date: .....

Scroll Date:.....

Sr. No.	Name of Depositor	Registration Number	Date of Deposit	Major Head	Sub-Major Head	Minor Head	Sub Head	Bank CIN	Amount in Rs.

Signature of Authorized Bank Officials  
Designation and Seal

By order,  
Sd/-  
Principal Secretary (E&T).

आबकारी एवं काराधान

अधिसूचना

शिमला, 171002, 31 मार्च, 2012

संख्या ई0एक्स0एन0-ए(3)-2/2011.—हिमाचल प्रदेश की राज्यपाल, हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान अधिनियम, 1999 (1999 का अधिनियम संख्यांक 16) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिनियम के प्रयोजनों को कार्यान्वित करने के लिए, सरकार की अधिसूचना संख्या ई0एक्स0एन0-एफ(15)-1/92 तारीख 29 जून, 1993 द्वारा अधिसूचित और तारीख 20 अगस्त, 1993 को राजपत्र, हिमाचल प्रदेश (असाधारण) में प्रकाशित शर्दी हिमाचल प्रदेश टैक्सेशन (ऑन सर्टेन गुडज कैरिड बाई रोड) रूल्ज़, 1993 में और संशोधन करने के लिए निम्नलिखित नियम बनाती हैं, अर्थात्:—

## नियम

1. **संक्षिप्त नाम.**—इन नियमों का संक्षिप्त नाम दी हिमाचल प्रदेश टैक्सेशन (ऑन सर्टेन गुडज़ कैरिड बाई रोड) अमैन्डमेंट रूलज, 2012 है।

2. **रूल 2 का संशोधन.**—दी हिमाचल प्रदेश टैक्सेशन (ऑन सर्टेन गुडज़ कैरिड बाई रोड) रूलज, 1993 (जिन्हें इसमें इसके पश्चात् “उक्त रूलज” कहा गया है) के रूल 2 में खण्ड (f) के पश्चात् निम्नलिखित खण्ड रखे जाएंगे, अर्थात्:—

“(g) **“document”** includes data, record or data generated image or sound stored, received or sent in a manual or electronic form or micro film or computer generated micro fiche;

(h) **“notice or show cause notice”** means a notice issued under the Act or these Rules in specified the forms prescribed. Where, such notice is issued electronically, bearing a serial number generated by the computer, the signature of the issuing authority shall not be required; and

(i) **“receipt”** means an acknowledgement of receiving the document. Where such receipt is issued bearing a serial number generated electronically, the signature of person issuing the receipt shall not be required;”

3. **रूल 4 का संशोधन.**—उक्त रूलज के रूल 4 के सब रूल(2) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“(2) Except when the payment is made to the taxing authority of the district through which the goods are carried, all payments in respect of tax payable under section 3 of the Act shall be made either manually or electronically in a challan in Forms ‘T-2’ or T-2-B, as the case may be.” As in English;”

4. **रूल 4-ए का संशोधन.**—उक्त रूलज के रूल 4-ए में,—

(i) सब रूल (2) के स्थान पर निम्नलिखित सब रूल रखा जाएगा, अर्थात्:—

“(2) The person specified in sub-rule (1) shall deposit whole of the amount of tax collected by him during the preceding fortnight to which the collection relates, into the Government treasury either manually or electronically by a challan in ‘Forms T-2 or T-2-B’, as the case may be, on or before 5th day of the following fortnight.”.

(ii) सब रूल (4) के स्थान पर निम्नलिखित सब-रूल रखा जाएगा, अर्थात्:—

“The persons specified in sub-rule (1) shall also furnish a return every month either manually or electronically in ‘Form T-2A’ to the Asstt. Excise and Taxation Commissioner or Excise and Taxation Officer incharge of the District, within five days of the close of each month during which the collection was made by him alongwith the treasury challan in ‘Form T-2 or T-2-B, as the case may be.

(iii) विद्यमान सब रूल (5) के पश्चात् निम्नलिखित सब रूल (6) अन्तःस्थापित किया जायेगा अर्थात्:—

“(6) Where the payment of tax, demand or other sum has been made electronically the authorized bank shall generate e-challan in Form T-2-B through a computer network. The



authorized bank shall also forward a statement of such e-challan (called as epayment scroll) daily in Form T-15 to concerned treasury of the State and a copy of such statement shall be forwarded to the Accountant General, Himachal Pradesh. The date of payment for the purpose of these rules shall be the date of deposit generated on the echallan in Form T-2-B. The date of payment for all accounting purposes shall be the generation of epayment challan and the daily statement from bank shall mention this date”.

Form T-2-B  
[See rule 4-A(2)]

E-CHALLAN

(For deposit of tax/demand/other sum)

Government of Himachal Pradesh

Excise and Taxation Department

Invoice of the tax paid into

Treasury

Sub Treasury

Authorized Bank Name

And credited under the head of account”0045- Other Taxes and Duties on Commodities and Services -800 Other Receipts01- Receipts from Himachal Pradesh Taxation ( on Certain Goods Carried by Road) Act, 1999 in respect of \_\_\_\_\_ goods.

(Number of boxes/ kilograms/volume/quantity)\_\_\_\_\_carried / being carried from \_\_\_\_\_ to \_\_\_\_\_ for distance of \_\_\_\_\_ Kilometres by road.

	Name and address of the Person incharge of the mechanical ehicles, cart or animal/human gency or any other means in or on which the goods are carried /being carried or the name and address of the person-incharge of the goods.	Vehicle No. Used for arriage of goods	Payment on account of	Amount
1	2	3	4	5
				Deposit of the :- (i) Tax, or (ii) Fine/ auction sale Money Earnest money. (iii) Penalty ----- Total:
Challan Identification Number ( CIN)			BSR Code	Date
			_____	_____
				Challan No.
				_____

Certified that all the particulars given above are correct.

Online Payment Through Internet Banking

<<Bank Name>>

<<Collecting Branch Name>>

## Form T-15

[See rule 4 –A(6)]

## Statement of Payment Made Electronically

Payment Date: .....

Scroll Date:.....

Sr. No.	Name of Depositor	Registration Number	Date of Deposit	Major Head	Sub-Major Head	Minor Head	Sub Head	Bank CIN	Amount in Rs.

Signature of Authorized Bank Officials  
Designation and Seal

आदेश द्वारा,  
हस्ताक्षरित / –  
प्रधान सचिव (आबकारी एवं कराधान)।

*[Authoritative English Text of this Department Notification No. EXN-A(3)2/2011 dated 31.03.2012 as required under clause (3) of Article 348 of the Constitution of India].*

**EXCISE AND TAXATION DEPARTMENT****NOTIFICATION**

*Shimla-171002, the 31st March, 2012*

**No. EXN-A(3)2/2011.**—In exercise of the powers conferred by section 17 of the Himachal Pradesh Taxation ( On Certain Goods Carried by Road) Act, 1999 (Act No. 16 of 1999) the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Taxation(On Certain Goods Carried by Road) Rules, 1993 notified vide Government notification No. EXN-F(15)1/92, dated 29th June, 1993 and published in Rajpatra (Extra Ordinary) on 20th August, 1993 for carrying out the purpose of the Act, namely:-

**RULES**

**1. Short title.**—These Rules may be called the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Amendment Rules, 2012.

**2. Amendment of rule-2.**—In rule 2 of the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Rules, 1993,(hereinafter referred to as the ‘said rules’), after clause (f) the following clauses shall be inserted, namely:-

“(g) **“document”** includes data, record or data generated image or sound stored, received or sent in a manual or electronic form or micro film or computer generated micro fiche;

(h) **“notice or show cause notice”** means a notice issued under the Act or these Rules in specified forms. Where, such notice is issued electronically, bearing a serial number generated by the computer, the signature of the issuing authority shall not be required; and

(i) **“receipt”** means an acknowledgement of receiving the document. Where such receipt is issued bearing a serial number generated electronically, the signature of person issuing the receipt shall not be required;”

**3. Amendment of rule 4.**—In rule 4 of the said rules , for sub-rule (2), the following sub-rule shall be substituted, namely;

“(2) Except when the payment is made to the taxing authority of the district through which the goods are carried, all payments in respect of tax payable under section 3 of the Act shall be made either manually or electronically in a challan in Forms ‘T-2’ or T-2-B, as the case may be.”

**4. Amendment of rule 4-A.**—In rule 4-A of the said rules,-

(i) for sub rule(2), the following sub-rule shall be substituted, namely:-

“(2) The person specified in sub-rule (1) shall deposit whole of the amount of tax collected by him during the preceding fortnight to which the collection relates, into the Government treasury either manually or electronically by a challan in ‘Forms T-2 or T-2-B’, as the case may be, on or before 5th day of the following fortnight.”.

(ii) For sub-rule (4), the following sub-rule shall be substituted, namely:-

“ The persons specified in sub-rule (1) shall also furnish a return every month either manually or electronically in ‘Form T-2A’ to the Asstt. Excise and Taxation Commissioner or Excise and Taxation Officer incharge of the District, within five days of the close of each month during which the collection was made by him alongwith the treasury challan in ‘Form T-2 or T-2-B, as the case may be .

(iii) after existing sub rule (5) , the following sub rule (6) shall be inserted namely:-

“(6) Where the payment of tax, demand or other sum has been made electronically the authorized bank shall generate e-challan in Form T-2-B through a computer network. The authorized bank shall also forward a statement of such e-challan (called as e-payment scroll) daily in Form T-15 to concerned treasury of the State and a copy of such statement shall be forwarded to the Accountant General, Himachal Pradesh. The date of payment for the purpose of these rules shall be the date of deposit generated on the e- challan in Form T-2-B. The date of payment for all accounting purposes shall be the generation of e-payment challan and the daily statement from bank shall mention this date”.

Form T-2-B  
[See rule 4-A(2)]

E-CHALLAN  
(For deposit of tax/demand/other sum)

Government of Himachal Pradesh  
Excise and Taxation Department

Invoice of the tax paid into

Treasury

Sub Treasury

Authorized Bank Name

And credited under the head of account "0045- Other Taxes and Duties on Commodities and Services -800 Other Receipts01- Receipts from Himachal Pradesh Taxation ( on Certain Goods Carried by Road) Act, 1999 in respect of \_\_\_\_\_ goods.

(Number of boxes/ kilograms/volume/quantity) \_\_\_\_\_ carried /  
being carried from \_\_\_\_\_ to \_\_\_\_\_ for distance of \_\_\_\_\_ Kilometres  
by road.

	Name and address of the Person incharge of the mechanical vehicles, cart or animal/human agency or any other means in or on which the goods are carried /being carried or the name and address of the person-incharge of the goods.	Vehicle No. Used for carriage of goods	Payment on account of	Amount
1	2	3	4	5
				Deposit of the :- (i) Tax, or (ii) Fine/ auction sale Money Earnest money. (iii) Penalty ----- Total:
Challan Identification Number ( CIN)			BSR Code	Date
			_____	_____
			Challan No.	
			_____	

Certified that all the particulars given above are correct.

Online Payment Through Internet Banking

<<Bank Name>>

<<Collecting Branch Name>>

Form T-15

[See rule 4 –A(6)]

## Statement of Payment Made Electronically

Payment Date: .....

Scroll Date:.....

Sr. No.	Name of Depositor	Registration Number	Date of Deposit	Major Head	Sub-Major Head	Minor Head	Sub Head	Bank CIN	Amount in Rs.

Signature of Authorized Bank Officials  
Designation and Seal

By order,

Sd/-  
Principal Secretary (E&T).

आबकारी एवं कराधान विभाग

अधिसूचना

शिमला-171002, 2 अप्रैल, 2012

संख्या ई0एक्स0एन0-एफ(6)3 / 2006.—इस विभाग की समसंख्यक अधिसूचना तारीख 20.01.2011, 07.06.2011, 20.09.2011 और 21.01.2012 द्वारा पहले से ही प्राधिकृत व्यक्तियों के अतिरिक्त, हिमाचल प्रदेश की राज्यपाल, हिमाचल प्रदेश में यात्रियों तथा सामान पर कर लगाने का अधिनियम, 1955 (1955 का अधिनियम संख्यांक 15) की धारा 4-क की उपधारा (1) के अधीन, उनमें निहित शक्तियों का प्रयोग करते हुए, विमप्लास्ट लिमिटेड, गांव अक्कावाली, बद्दी, जिला सोलन को पूर्वोक्त अधिनियम की धारा 4-क के प्रयोजनों को कार्यान्वित करने के लिए तुरन्त प्रभाव से प्राधिकृत करती हैं ।

आदेश द्वारा,  
हस्ताक्षरित /—  
प्रधान सचिव (आबकारी एवं कराधान)।

*[Authoritative English text of this Department Notification No.EXN-(6)3/2006, dated 02/04/2012 as required under clause (3) of Article 348 of the Constitution of India].*

## EXCISE AND TAXATION DEPARTMENT

### NOTIFICATION

*Shimla-171002, 2nd, April, 2012*

**No. EXN-F(6)3/2006.**—In addition to the persons already authorized vide this department Notification of even number dated 20.01.2011 & 07.06.2011, 20.09.2011 & 21.01.2012, the Governor of Himachal Pradesh, in exercise of the powers vested in her under sub-section (1) of Section 4-A of the Himachal Pradesh Passengers and Goods Taxation Act, 1955 (Act No. 15 of 1955) is pleased to authorise the WIMPLAST Ltd., Village Akkanwali, Baddi, District Solan, Himachal Pradesh for carrying out the purposes of Section 4-A of the Act Ibid with immediate effect.

By order,  
Sd/-  
*Principal Secretary (E&T).*

### NAME CHANGE

I, Rao Abhishek Kulranjan s/o Shri Kuldeep Rao, 15, Old Brockhurst, Kasumpti, Shimla-171009 have changed my name Rao Abhishek Kulranjan to Abhishek Kulranjan Rao.

**Abhishek Kulranjan Rao,**  
15, Old Brockhurst,  
Kasumpti, Shimla-171009.

## ELEVENTH VIDHAN SABHA

### NOTIFICATION

*Shimla-171004, the 3rd April, 2012*

**No. VS-Legn.-Resi./1-24/04.**—The Hon'ble Speaker, Himachal Pradesh Vidhan Sabha has been pleased to accept the resignation of Shri Jagat Prakash Nadda, MLA elected from 21-Bilaspur Assembly Constituency, from the Membership of the Himachal Pradesh Legislative Assembly w.e.f. 2nd April, 2012. Consequent upon this, one vacancy has occurred in the House.

**GOVERDHAN SINGH,**  
*Secretary,*  
*H.P. Vidhan Sabha.*